

AMENDED IN SENATE MARCH 11, 2014

AMENDED IN SENATE FEBRUARY 14, 2014

**SENATE BILL**

**No. 832**

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**Introduced by Senator Gaines**  
(Principal coauthor: Assembly Member Dahle)

January 6, 2014

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An act to add Section 5003.20 to the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 832, as amended, Gaines. State parks: Kings Beach State Recreation Area.

Under existing law, the Department of Parks and Recreation is required to operate, manage, and maintain units of the state park system. Existing law regulates the sale of surplus state property.

This bill would authorize the Director of Parks and Recreation to grant to the North Tahoe Public Utility District, subject to specified conditions, all of the rights, title, and interest of the state in the Kings Beach State ~~Recreational~~ Recreation Area, in the County of Placer. The bill would require that the real property conveyed be operated, maintained, and improved by the North Tahoe Public Utility District for public recreation purposes, as defined. *The bill would authorize the department, if it determines the North Tahoe Public Utility District is not using the property in a manner consistent with the conditions of use specified in the bill, after providing the district with written notice, including a description of the inconsistent use, and a reasonable opportunity for the district to correct the identified inconsistent use, to access and take possession of the property, and resume operating the*

*property on a year-round basis, consistent with those conditions for use, at which time title to the property would revert to the state.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 5003.20 is added to the Public Resources  
2 Code, to read:  
3 5003.20. (a) Notwithstanding the provisions of Division 3  
4 (commencing with Section 11000) of Title 2 of the Government  
5 Code that relate to the disposition of state-owned real property,  
6 the director may grant to the North Tahoe Public Utility District,  
7 subject to the conditions set forth in this section, all of the rights,  
8 title, and interest of the state in the Kings Beach State Recreation  
9 Area, in the County of Placer.  
10 (b) The grant shall be subject to all of the following conditions:  
11 (1) The real property conveyed shall be operated, maintained,  
12 and improved by the North Tahoe Public Utility District for public  
13 recreation purposes in perpetuity, consistent with any covenants,  
14 conditions, and restrictions in the deed transferring the property.  
15 The North Tahoe Public Utility District shall operate and keep  
16 open the property and its parking facilities on a year-round basis.  
17 ~~(2) The North Tahoe Public Utility District shall pay the~~  
18 ~~department fair market value, in accordance with mutually agreed~~  
19 ~~upon terms, for the real property conveyed and as restricted by~~  
20 ~~paragraph (1). The fair market value shall be determined by an~~  
21 ~~appraisal that is reviewed and approved by the Department of~~  
22 ~~General Services.~~  
23 ~~(3) At the option of the state, the real property conveyed shall~~  
24 ~~revert to the state if the real property is not used for public~~  
25 ~~recreation purposes.~~  
26 ~~(4)~~  
27 (2) The North Tahoe Public Utility District shall take the  
28 property as is and assume responsibility for compliance with the  
29 *federal* Americans with Disabilities Act of 1990, as amended (42  
30 U.S.C. Sec. 12101 et seq.).  
31 (3) *If the department determines that the North Tahoe Public*  
32 *Utility District is not using the property in a manner consistent*  
33 *with the conditions for use set forth in this subdivision, the*

1 *department may, after providing the district with written notice,*  
2 *including a description of the inconsistent use, and a reasonable*  
3 *opportunity to correct the identified inconsistent use, access and*  
4 *take possession of the property and resume operating the property*  
5 *on a year-round basis, consistent with the above conditions, at*  
6 *which time title to the property shall revert to the state.*

7 (c) The Legislature finds and declares that the transfer to the  
8 North Tahoe Public Utility District of the real property described  
9 in subdivision (a) and subject to the conditions specified in  
10 subdivision (b) is excepted from the provisions of Section 5096.516  
11 in accordance with paragraph (3) of subdivision (c) of Section  
12 5096.516.

13 (d) For purposes of this section, “public recreation purposes”  
14 includes, but is not limited to, beach use, use of parking facilities  
15 for events *and other uses within the North Tahoe Event Center*  
16 *operated by the North Tahoe Public Utility District Recreation*  
17 *and Parks Department, use of parking facilities* by community  
18 residents, visitors, and concessionaires, and other uses appropriate  
19 to generate funding to support those uses on the property.